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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,055	03/12/2004	Ke-Chi Jang	NRT.0118US (15982RRUS02U)	8576

21906 7590 01/06/2009

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EXAMINER	
DESIR, PIERRE LOUIS	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
01/06/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/800,055	JANG ET AL.	
	Examiner	Art Unit	
	PIERRE-LOUIS DESIR	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 October 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-5,8,9,11-23 and 25-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *8,9 and 11-14* is/are allowed.

6)☐ Claim(s) *1,3,15-23 and 25-33* is/are rejected.

7)☒ Claim(s) *4* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 15, 18, 22, 27, have been considered but are moot in view of the new ground(s) of rejection.

Regarding claim 18, Applicants have amended claim 18 to recite an article comprising at least one machine-readable storage medium. However, the specification does not provide any substantial description of what constitutes an article. Therefore, "article" is non-functional descriptive and does not define any structural and functional interrelationships between the claimed elements which permit functionality to be realized. Also, the breadth of this disclosure includes instructions stored on paper, i.e., printed matter, even with the added limitation of "machine-readable."

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 3-5, 18-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claim 1:

Claim 1 describes a method comprising communicating and receiving steps. However, the claim does not disclose whether the listed steps are being performed by physical and tangible components. Thus, the claim is not tied to another statutory class of invention. Therefore, the claim is directed to non-statutory subject matter.

Regarding claims 18-21:

Claim 18 reads, "an article comprising…", which is a nonfunctional descriptive material, and does not define any structural and functional interrelationships between the claimed elements which permit functionality to be realized.

Examiner respectfully disagrees. The language of claim 18 does not read an "article of manufacture." It simply reads, "an article." The breadth of this disclosure includes instructions stored on paper, i.e., printed matter.

See MPEP § 2106.01. Data structures not claimed as embodied in tangible computer readable media are descriptive material *per se* and are not statutory because they are not capable of causing functional change in the computer. See, e.g., *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure *per se* held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention, which permit the data structure's functionality to be realized. In contrast, a claimed tangible computer readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory. Similarly, computer programs claimed as computer listings *per se*, i.e., the descriptions or expressions of the programs are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer program's functionality to be realized.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 18-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The case recites an "article comprising..." However, the specification does not disclose what constitutes an article, i.e., no support in the specification for "article." Therefore, one of ordinary skill in the art could not make use of the invention by having an article without any disclosure of what constitutes and article.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 22-23, 25, 27, 30, 31 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanttinen et al. (Vanttinen), Pub. No. US 20010009544 in view of Dufour, US 5613205 A./Meless N Zewdu/

Primary Examiner, Art Unit 2617

Regarding claims 1 and 31, Vanttinen discloses a method for performing a location service with respect to a mobile station (see abstract) comprising communicating to the mobile station a paging message (i.e., a radio network BSS transmits information in a paging message 408 to the subscriber terminal MS that the subscriber terminal MS is requested to initiate the location service. The paging message may also contain a cause code for transmitting the message. Furthermore, the paging message may include other information on the location service, e.g. technology-dependent parameters and service-dependent parameters. In that case the BSSGP PS paging message used in the GPRS or the RANAP paging message used in the UMTS has to be modified) (see paragraph 59), and receiving information regarding the location of the mobile station (i.e., the subscriber terminal that received the paging message transmits a paging response (interpreted as information related to the location of the mobile station since the location of the mobile station is derived from that response) message to the radio network; the network part locates the subscriber terminal on the basis of the information included in the paging message) (see abstract).

It is important to note that Vanttinen does disclose that within the paging message transmitted to the mobile station, a cause code in included (i.e., a first state to indicate the cause for transmitting the paging message).

Vanttinen, however, does not specifically disclose that the paging message contains an indication of whether the paging message is related to at least one of an emergency-related location service and a law enforcement-related location service, and wherein the page sent by the base station to the mobile station to initiate a call with the mobile station.

However, Dufour discloses a method wherein a page request is sent to a mobile subscriber from other parties such a police or emergency crews and when a page response received, a voice channel is assigned (col. 5, line 59-col. 6, line 11), wherein the mobile subscriber may receive alert after being assigned the voice channel (initiating a call).

In combination with Vanttinen, one skilled in the art would unhesitatingly conceptualize that a paging message from police or emergency crews is received by a mobile subscriber. Such paging message contains information identifying the cause (i.e., cause code for transmitting the paging message. Thus, one skilled in the art would immediately envision that having a paging message being sent from police or emergency crews would obviously indicate to the mobile subscribe that the paging message is related to either emergency or law enforcement (police crews).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described by Dufour with the teachings described by Vanttinen to arrive at the claimed invention. A motivation for doing so would have been to properly indicate to the mobile subscriber the cause for the paging message.

Regarding claim 3, Vanttinen discloses a method as described above (see claim 1 rejection).

Vanttinen, however, does not specifically disclose a method wherein communicating the page containing the indication comprises sending one of a general page message (GPM) containing the indication and a universal page message (UPM) containing the indication.

However, Vanttinen discloses a method wherein a radio network BSS transmits information in a paging message 408 to the subscriber terminal MS that the subscriber terminal

MS is requested to initiate the location service. The paging message may also contain a cause code for transmitting the message. Furthermore, the paging message may include other information on the location service, e.g. technology-dependent parameters and service-dependent parameters. In that case the BSSGP PS paging message used in the GPRS or the RANAP paging message used in the UMTS has to be modified. Furthermore, Applicant has not disclosed that having a page comprising of a general page message or a universal page message solves or accomplishes any stated problem.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the page disclosed by Vanttinen such that the page could comprise a universal page message or General page message because such modification would have been considered a mere consideration which fails to patentably distinguish over the prior art of Vanttinen. A motivation for doing so would have been to accurately determine the location of the MS.

Regarding claim 22, Vanttinen discloses a system comprising an interface to communicate a paging message to a mobile station (i.e., a radio network BSS transmits information in a paging message 408 to the subscriber terminal MS that the subscriber terminal MS is requested to initiate the location service. The paging message may also contain a cause code for transmitting the message. Furthermore, the paging message may include other information on the location service, e.g. technology-dependent parameters and service-dependent parameters. In that case the BSSGP PS paging message used in the GPRS or the RANAP paging message used in the UMTS has to be modified) (see paragraph 59); a controller to set an indication in the paging message (i.e., cause code) (see paragraph 59).

Although Vanttinen discloses a system as described, Vanttinen does not specifically disclose a system wherein the paging message is related to at least one of an emergency-related service and a law enforcement-related location service.

However, Dufour discloses a method wherein a page request is sent to a mobile subscriber from other parties such a police or emergency crews and when a page response received, a voice channel is assigned (col. 5, line 59-col. 6, line 11).

In combination with Vanttinen, one skilled in the art would unhesitatingly conceptualize that a paging message from police or emergency crews is received by a mobile subscriber. Such paging message contains information identifying the cause (i.e., cause code for transmitting the paging message. Thus, one skilled in the art would immediately envision that having a paging message being sent from police or emergency crews would obviously indicate to the mobile subscribe that the paging message is related to either emergency or law enforcement (police crews).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described by Dufour with the teachings described by Vanttinen to arrive at the claimed invention. A motivation for doing so would have been to properly indicate to the mobile subscriber the cause for the paging message.

Regarding claim 23, the combination discloses a system (see claim 22 rejection) wherein the controller is adapted to send the paging message to the mobile station in response to an idle-mode query interpreted as if the mobile subscriber is not capable) (see Dufour col. 5, line 59-col. 6, line 11).

Regarding claim 25, the combination discloses a system (see claim 22 rejection) comprising a base station including the interface and controller (see Vanttinen paragraph 21), wherein paging message comprises a page from the base station to the mobile station to initiate a call (i.e., receiving alert) with the mobile station (see Dufour col. 5, line 59-col. 6, line 11).

Regarding claims 27 and 33, Vanttinen discloses a mobile station comprising an interface to receive a page containing an indication (i.e., a radio network BSS transmits information in a paging message 408 to the subscriber terminal MS that the subscriber terminal MS is requested to initiate the location service. The paging message may also contain a cause code for transmitting the message. Furthermore, the paging message may include other information on the location service, e.g. technology-dependent parameters and service-dependent parameters. In that case the BSSGP PS paging message used in the GPRS or the RANAP paging message used in the UMTS has to be modified) (see paragraph 59); and a controller (inherent part of a mobile terminal) to respond to the page (see abstract).

Although Vanttinen discloses a mobile station as described, Vanttinen does not specifically disclose a mobile station wherein the page containing an indication that the page is related to at least one of an emergency-related location service and a law enforcement-related location service, and responding to the message based on the indication, and wherein the message received by the mobile station is sent by a base station to initiate a call with the mobile station (as pertained to claim 33).

However, Dufour discloses a mobile station wherein a page request is sent to a mobile subscriber from other parties such a police or emergency crews and when a page response received, a voice channel is assigned. Hence, the mobile station was not on a traffic channel if

voice channel is assigned only after receiving a page response from the terminal) (col. 5, line 59-col. 6, line 11), wherein the mobile subscriber may receive alert after being assigned the voice channel (initiating a call).

In combination with Vanttinen, one skilled in the art would unhesitatingly conceptualize that a paging message from police or emergency crews is received by a mobile subscriber. Such paging message contains information identifying the cause (i.e., cause code for transmitting the paging message. Thus, one skilled in the art would immediately envision that having a paging message being sent from police or emergency crews would obviously indicate to the mobile subscribe that the paging message is related to either emergency or law enforcement (police crews). And, one skilled in the art would immediately envision that the paging response is sent based on the indication in paging message received.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described by Dufour with the teachings described by Vanttinen to arrive at the claimed invention. A motivation for doing so would have been to properly indicate to the mobile subscriber the cause for the paging message.

Regarding claim 30, Vanttinen discloses a mobile station (see claim 27 rejection) comprising one of a mobile phone, a portable computer with a wireless modem, a wireless-enabled personal digital assistant (PDAs), and a global positioning system (GPS) device (i.e., mobile station) (see fig. 1b).

6. Claims 4, 26, 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanttinen and Dufour, further in view of Arcens, Pub. No. US 20040176104.

Regarding claim 4, the combination of Vanttinen and Dufour discloses a method as described (see claim 3 rejection).

The combination, however, does not specifically disclose a method wherein sending the page comprises sending the message containing a first information element to identify service option 35 or service option 36 (i.e., position request data) (see figs. 1, 2, and paragraphs 41) and a second information element to indicate whether the message is related to the emergency-related location service or law enforcement-relate location service (i.e., the position request data may comprise the requestor category, i.e., emergency service) (see paragraph 41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to accurately determine the location of the MS.

Regarding claim 26, the combination does not specifically disclose a system wherein the controller is adapted to send data over a traffic channel, the data comprising a position determination data message (PDDM) containing an indication of whether the PDDM is related to emergency services.

However, Arcens discloses a system (see claim 22 rejection) wherein the controller is adapted to send data over a traffic channel, the data comprising a position determination data message (PDDM) containing an indication of whether the PDDM is related to emergency services (see paragraphs 41, 46, 47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to accurately determine the location of the MS.

Regarding claim 28, the combination discloses a mobile station as described (see claim 27 rejection).

The combination does not specifically disclose a mobile station wherein the mobile station is configured to accept a service option specified by a message relating to an emergency-related location service or a law enforcement-related location service, but not to accept another service option specified by a message relating to a value-added location service, the controller to accept the received message in response to the indication indicating that the message is related to the emergency-related location service or law enforcement-related location service.

However, Arcens discloses a mobile station (see claim 27 rejection) wherein the mobile station is configured to accept a service option specified by a message relating to an emergency-related location service or a law enforcement-related location service (i.e., element 202 in fig. 2a represents a state during which the privacy engine 120 awaits reception of a request for location data information (i.e., a position request). At step 204, the privacy engine receives a position request. At step 212, the position request data are evaluated to determine whether the position request is an emergency service request. In accordance with usual statutory requirements, an emergency service request shall override the privacy policy) (see paragraphs 41, 46-47), but not to accept another service option specified by a message relating to a value-added location service (i.e., the request is denied because the requestor is a commercial entity) (see paragraph 48), the controller to accept the received message in response to the indication indicating that the message is related to the emergency-related location service or law enforcement-related location service (i.e., position data is returned to the requestor. Thus, the return of position data to the requestor indicates acceptance of the request) (see paragraphs 46-47, 61, and 67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to accurately determine the location of the MS.

Regarding claim 29, Arcens discloses a mobile station (see claim 28 rejection) wherein the received message contains a first information element to indicate that the message is location-related (i.e., i.e., a position data request) (i.e., see paragraph 41), and a second information element to indicate that the message relates to an emergency service or a law enforcement service (i.e., the position request data may comprise the requestor category, i.e., emergency service) (see paragraph 41).

7. Claims 15-17, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanttinen in view of Dufour and Arcens.

Regarding claims 15 and 32, Vanttinen discloses a method comprising receiving a paging message by a mobile station (i.e., the radio network BSS transmits information in a paging message 408 to the subscriber terminal MS that the subscriber terminal MS is requested to initiate the location service. The paging message may also contain a cause code for transmitting the message. Furthermore, the paging message may include other information on the location service, e.g. technology-dependent parameters and service-dependent parameters. In that case the BSSGP PS paging message used in the GPRS or the RANAP paging message used in the UMTS has to be modified) (see paragraph 59) and the mobile station responding to the paging message by sending a page response indicating acceptance of a location-service related service option specified in the paging message (i.e., the subscriber terminal that received the paging message transmits a paging response message to the radio network; the network part locates the

subscriber terminal on the basis of the information included in the paging message, wherein the mobile subscriber may receive alert after being assigned the voice channel (initiating a call)) (see abstract).

It should be noted that Vanttinen does disclose that within the paging message transmitted to the mobile station, a cause code in included (i.e., a first state to indicate the cause for transmitting the paging message).

Vanttinen, however, does not specifically disclose a method wherein the mobile station is not on a traffic channel when received the page and is configured to accept an emergency-related location service or a law enforcement-related location service but not a value added service location service, and the paging message containing an indication that the paging message is related to at least one of the emergency-related location service and the law enforcement-related location service, wherein receiving the paging message comprises receiving a page from a base station to initiate a call with the mobile station.

However, Dufour discloses a method wherein the mobile station is not on a traffic channel when received the page and is configured to accept an emergency-related location service or a law enforcement-related location service, and wherein the paging message contains an indication that the paging message is related to at least one of the emergency-related location service and the law enforcement-related location service (i.e., wherein a page request is sent to a mobile subscriber from other parties such a police or emergency crews and when a page response received, a voice channel is assigned. Hence, the mobile station was not on a traffic channel if voice channel is assigned only after receiving a page response from the terminal) (col. 5, line 59-col. 6, line 11).

In combination with Vanttinen, one skilled in the art would unhesitatingly conceptualize that a paging message from police or emergency crews is received by a mobile subscriber. Such paging message contains information identifying the cause (i.e., cause code for transmitting the paging message. Thus, one skilled in the art would immediately envision that having a paging message being sent from police or emergency crews would obviously indicate to the mobile subscribe that the paging message is related to either emergency or law enforcement (police crews).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described by Dufour with the teachings described by Vanttinen to arrive at the claimed invention. A motivation for doing so would have been to properly indicate to the mobile subscriber the cause for the paging message.

The combination, however, does not specifically disclose a method wherein the mobile station is configured to accept an emergency-related location service or a law enforcement-related location service but not a value-added service location service.

However Arcens discloses a method wherein element 202 in fig. 2a represents a state during which the privacy engine 120 awaits reception of a request for location data information (i.e., a position request). At step 204, the privacy engine receives a position request. At step 212, the position request data are evaluated to determine whether the position request is an emergency service request. In accordance with usual statutory requirements, an emergency service request shall override the privacy policy (see paragraphs 41, 46-47), wherein the request is denied because the requestor is a commercial entity (value-added service location service) (see paragraph 48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described by the cited references to arrive at the claimed invention. A motivation for doing so would have been to ensure successful emergency call completion.

Regarding claim 16, the combination of Vanttinen, Dufour, and Arcens discloses a method (see claim 15 rejection) further comprising the mobile station determining, by examining the message, that the location service-related service option requested in the message should be accepted, based on association of the message with either an emergency-related location service or a law enforcement-related location service the position request data are evaluated to determine whether the position request is an emergency service request. In accordance with usual statutory requirements, an emergency service request shall override the privacy policy) (see Arcens paragraphs 41, 46-47).

Regarding claim 17, the combination of Vanttinen, Dufour, and Arcens discloses a method (see claim 15 rejection) further comprising: the mobile station communicating position determination data messages (PDDMs) on the traffic channel with a position determination entity (PDE) (see paragraph 61); the mobile station determining whether one or more received PDDMs are related to the emergency-related location service or law enforcement-related location service (see Arcens paragraphs 41, 46-47, and 61); and in response to determining that the one or more received PDDMs are related to the emergency-related location service or law enforcement-related location service, the mobile station accepting request elements in the one or more received PDDMs (i.e., position data is returned to the requestor. Thus, the return of position data to the requestor indicates acceptance of the request) (see Arcens paragraphs 46-47, 61, and 67).

8. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arcens in view of Dufour.

Regarding claim 18, Arcens discloses a mobile station comprising a storage medium (see fig. 1) containing instructions that when executed cause a mobile station in a wireless communications network to receive a location request on the traffic channel containing an indication of that the location request is related to at least one of an emergency-related location service and a law enforcement-related location service (see paragraphs 41, 46-47); and send location information of the mobile station in response to the location request (i.e., position data is returned to the requestor. Thus, the return of position data to the requestor indicates acceptance of the request) (see paragraphs 46-47, 61, and 67).

Although Arcens discloses a mobile station as described above, Arcens does not specifically disclose receiving messaging to cause the mobile station to move to a traffic channel in response to a callback by at least one of an emergency services entity and a law enforcement entity.

However, Dufour discloses receiving messaging to cause the mobile station to move to a traffic channel in response to a callback by at least one of an emergency services entity and a law enforcement entity (i.e., a page request is sent to a mobile subscriber from other parties such a police or emergency crews and when a page response received, a voice channel is assigned. An alert signal may then be sent to the mobile terminal. Hence, the mobile station was not on a traffic channel if voice channel is assigned only after receiving a page response from the

terminal. And, once the voice channel (i.e. traffic channel) is assigned, the mobile station receives information on the voice channel) (col. 5, line 59-col. 6, line 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to ensure the mobile terminal is on the appropriate channel.

Regarding claim 19, Arcens discloses a mobile station (see claim 18 rejection) wherein receiving the location request comprises receiving a position determination data message (PDDM) containing the indication (i.e., as described in claim 1 rejection, the privacy engine of the mobile station receives a request for location request (i.e., a request for location/position determination), which request contains an indicator of the requester, i.e., emergency service. Such request is a message to the mobile station requesting position/location information or data (i.e., PDDM)) (see fig. 2a, paragraphs 41, 46-47).

Regarding claim 20, Arcens discloses a mobile station (see claim 18 rejection) wherein the mobile station has been configured to accept an emergency-related location service or a law enforcement-related location service (i.e., element 202 in fig. 2a represents a state during which the privacy engine 120 awaits reception of a request for location data information (i.e., a position request). At step 204, the privacy engine receives a position request. At step 212, the position request data are evaluated to determine whether the position request is an emergency service request. In accordance with usual statutory requirements, an emergency service request shall override the privacy policy) (see paragraphs 41, 46-47), but not a value-added service location service (i.e., the request is denied because the requestor is a commercial entity) (see paragraph 48), the instructions when executed causing the mobile station to determine whether to accept the

location request based on the indication contained in the location request (i.e., the position request data may comprise of requestor category, i.e., emergency service) (see paragraph 41), wherein sending the location information is performed in response to determining that the location request is to be accepted (i.e., position data is returned to the requestor. Thus, since Emergency position can override the privacy policy, a return of position data indicates is a response to the request) (see paragraphs 46-47).

9. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arcens and Dufour, further in view of Vanttinen.

The combination of Arcens and Dufour discloses a mobile station (see claim 18 rejection) that receives a page, and responding to the page (see Dufour col. 5, line 59-col. 6, line 11), and accepting a service option of the message based on the indication (see paragraphs 41, 46-48).

Although the combination discloses a mobile station as described, the combination does not specifically disclose that the mobile station that the page contains indication that the page is associated with at least one of an emergency-related location service and a law enforcement-related location service.

However, Vanttinen discloses a radio network BSS transmits information in a paging message 408 to the subscriber terminal MS that the subscriber terminal MS is requested to initiate the location service. The paging message may also contain a cause code for transmitting the message. Furthermore, the paging message may include other information on the location service, e.g. technology-dependent parameters and service-dependent parameters. In that case the BSSGP PS paging message used in the GPRS or the RANAP paging message used in the

UMTS has to be modified) (see paragraph 59), wherein the subscriber terminal that received the paging message transmits a paging response (interpreted as information related to the location of the mobile station since the location of the mobile station is derived from that response) message to the radio network; the network part locates the subscriber terminal on the basis of the information included in the paging message. Thus, the mobile station accepts to provide information to the base station so that location information may be derived from the page response) (see abstract).

In combination with Vanttinen, one skilled in the art would unhesitatingly conceptualize that a paging message from police or emergency crews is received by a mobile subscriber. Such paging message contains information identifying the cause (i.e., cause code for transmitting the paging message. Thus, one skilled in the art would immediately envision that having a paging message being sent from police or emergency crews would obviously indicate to the mobile subscribe that the paging message is related to either emergency or law enforcement (police crews).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to properly indicate to the mobile subscriber the cause for the paging message.

Allowable Subject Matter

10. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 8-9, 11-14 are allowed.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PIERRE-LOUIS DESIR whose telephone number is (571)272-7799. The examiner can normally be reached on Monday-Friday 9:00AM- 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571)272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Pierre-Louis Desir/

Examiner, Art Unit 2617

/Meless N Zewdu/

Primary Examiner, Art Unit 2617

1/6/2009